



MINUTES OF: LEBANON CITY COUNCIL

Date: APRIL 12, 2011

Council of the City of Lebanon met in regular session on April 12, 2011 in the Council Chambers. The meeting was called to order at 7:00 p.m. with the following members present; Messrs: Heitkamp, Cole, Monroe, Norris, Rodriguez, Mrs. Flick and Mayor Brewer. Also present was City Manager, Pat Clements, City Attorney, Mark Yurick, Deputy City Manager, Scott Brunka and City Auditor, Sharee' Dick.

The invocation was given by Mr. Norris. Mayor Brewer asked everyone to remain standing for the Pledge of Allegiance. The JROTC Color Guard preformed Colors and everyone said the Pledge of Allegiance.

At this time Mayor Brewer asked for consideration of Council minutes for the March 22nd regular meeting. Motion to adopt the minutes as submitted was made by Mr. Norris seconded by Mr. Cole. Roll call vote to adopt was unanimous in favor. Motion to adopt the April 4th work session minutes as submitted was made by Mr. Heitkamp seconded by Dr. Monroe. Roll call vote to adopt was as follows: Mr. Rodriguez, yes; Mr. Cole, abstained; Dr. Monroe, yes; Mayor Brewer, yes; Mrs. Flick, yes; Mr. Heitkamp, yes; Mr. Norris, yes.

Mayor Brewer welcomed Boy Scout Troup #186 to this evenings meeting.

Karl Voelkel, Terry Banker and Robert English voiced their concerns and opposition to the 123 Connector project.

Mayor Brewer read and presented a Proclamation for Athletes in Action's Night of Champions.

Ordinance No. 2011-024 An Ordinance amending Chapter 925 of the Codified Ordinances relating to Park Rules and Regulations was read in title only by the City Attorney. This legislation will approve general updates to Chapter 925 of the Codified Ordinances relating to Park Rules and Regulations. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-024 was made by Mr. Cole seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

Resolution No. 2011-026 A Resolution approving the City's Permit Application to ODOT to allow for the installation of directional signs on Bypass 48 for the Countryside YMCA was read in title only by the City Attorney. This legislation will approve a permit application to ODOT to allow the installation of directional signs on Bypass 48 for Countryside YMCA at the Deerfield Road and Burt Road intersections. The YMCA will reimburse the City for the cost of the sign materials, which is estimated to be \$3,000. Mr. Clements explained the legislation. Motion to adopt Resolution No. 2011-026 was made by Mr. Rodriguez seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor.

Mr. Ed Smith of New Housing Opportunities spoke to Council about some recent articles in the Western Star regarding NHO housing sexual offenders in its new units behind Pizza Hut. He said he wanted to set the record straight that NHO did not rent to sexual offenders and rumours were simply not true.

Sarah Scott of 1030 Hunters Run voiced her support of Mr. Rodriguez's legislation regarding loitering (Ord#2011-033) and asked the City to keep the children safe from sexual offenders.

Ordinance No. 2011-027 An Ordinance authorizing the City Manager to execute a Lease Addenda for use of office space in the Sams House was read in title only by the City Attorney. This legislation will approve 2-year lease agreements for use of office space in Sams House in Colonial Park West with the Optimist Club, Rotary Club, and Lions Club. Mr. Clements explained the legislation. Mr. Cole seconded by Dr. Monroe made motion for this legislation to receive a first reading.

Ordinance No. 2011-028 An Ordinance approving Property Owner Assessments related to the 2011 Concrete Repair Program, and declaring an emergency was read in title only by the City Attorney. This legislation approves property owner assessments for the repair of deteriorated sidewalks and driveway aprons on Mound St between Main St and Columbus Ave. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-028 was made by Mr. Norris seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2011-029 An Ordinance authorizing the City Manager to execute an agreement with Prus Construction Company, and declaring an emergency was read in title only by the City Attorney. This legislation will approve an agreement with Prus Construction Company to perform the 2011 Concrete Repair and Replacement Program in the amount of \$341,603.55. This year's program consists of repairs to Mound St between Main and Columbus, and Henkle Drive in Lebanon Commerce Center. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-029 was made by Mr. Heitkamp seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2011-030 An Ordinance authorizing the City Manager to execute an agreement with LJB, Inc., and declaring an emergency was read in title only by the City Attorney. This legislation approves an agreement with LJB, Inc. to perform the design of the Columbia Road Improvement Project.

This project will include the partial reconstruction of Columbia Rd from Mason-Morrow-Milgrove Road to Kingsview Drive and the relocation of a sanitary sewer lift station to provide sewer access to additional industrial property. The cost of the design contract is \$174,115. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-030 was made by Mrs. Flick seconded by Mr. Cole. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2011-031 An Ordinance authorizing the City Manager to execute an agreement with Northwest Consultants, Inc., and declaring an emergency was read in title only by the City Attorney. This legislation will approve an agreement with Northwest Consultants, Inc. to perform the design of the 2012 West Mulberry Street Reconstruction Project. The cost of the design contract is \$154,508. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-031 was made by Mr. Norris seconded by Mr. Heitkamp. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2011-032 An Ordinance authorizing the City Manager to execute an agreement with Accredited Home Lenders, Inc., and declaring an emergency was read in title only by the City Attorney. This legislation will approve an agreement with Accredited Home Lenders, Inc. to purchase a 1.1-acre parcel located at 3664 Columbia Road at a cost of \$24,900. The purchase of this property, which is located in the Industrial Park Zone, will enhance the size and functionality of the Mills Road Electric Substation site which is planned for construction in 2015 in order to improve the electric service to the City's southern industrial parks. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-032 was made by Mr. Norris seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2011-033 An Ordinance enacting Section 503.07 of the Codified Ordinances; an Ordinance Prohibiting Presence, Loitering or Prowling at certain locations was read in title only by the City Attorney. This legislation will enact Section 503.07 of the Codified Ordinances preventing registered sex offenders from loitering within 300 feet of parks, playgrounds, the YMCA and similar areas where children regularly congregate. Mr. Yurick briefly explained the legislation. Mr. Rodriguez seconded by Mrs. Flick made motion for this legislation to receive a first reading. Mr. Cole seconded by Mrs. Flick made motion to suspend the rules for discussion purposes. Mayor Brewer asked for a show of hands, all were in favor. Sarah Scott voiced her support of the legislation. Mr. Rodriguez thanked his fellow council members for their support as well.

Mayor Brewer asked for the City Manager's report. Mr. Clements advised that the next work session of Council would be April 18th, the next regular Council meeting would be April 26th and Planning Commission would be April 19th.

Mr. Cole asked Mr. Clements to compile a report of the larger street projects completed over the last several years. He wants everyone to understand the importance of moving some of the traffic away from the center of the City.

Mr. Heitkamp reminded residents to contact City Council members with any questions or concerns.

Mrs. Flick thanked the Shade Tree Commission for the beautiful spring blooming trees.

Mayor Brewer thanked the Boy Scouts for being here this evening and reminded everyone that these youths were our future leaders.

Motion to adjourn into executive session to discuss personnel issues was made by Dr. Monroe seconded by Mr. Norris. Roll call vote to adjourn was unanimous in favor. Council adjourned into executive session at 7:50 p.m.

Motion to adjourn out of executive session was made by Mrs. Flick seconded by Dr. Monroe. Mayor Brewer asked for a show of hands, all were in favor. Council reconvened at 8:15 p.m.

There being no further business to come before this Council, motion to adjourn the meeting was made by Dr. Monroe seconded by Mr. Cole. Roll call vote to adjourn was unanimous in favor. The meeting was adjourned at 8:17 p.m.

Passed:

Mayor

Clerk of Council